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06                   UNITED STATES DISTRICT COURT  
07                   WESTERN DISTRICT OF WASHINGTON  
08                   AT SEATTLE

09         UNITED STATES OF AMERICA,                   )                   CASE NO. MJ 13-416  
10    )  
11         Plaintiff,                                      )  
12    )  
13         v.    )  
14         MAURICE GARDNER,                              )  
15    )  
16         Defendant.                                      )  
17    )  
18    )  
19    )  
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14         Offense charged:     Distribution of Cocaine Base

15         Date of Detention Hearing:   August 29, 2013.

16         The Court, having conducted a detention hearing pursuant to 18 U.S.C. § 3142(f), and  
17         based upon the factual findings and statement of reasons for detention hereafter set forth, finds  
18         that no condition or combination of conditions which defendant can meet will reasonably  
19         assure the appearance of defendant as required and the safety of other persons and the  
20         community.

21                   FINDINGS OF FACT AND STATEMENT OF REASONS FOR DETENTION

22         1.         Defendant was arrested on August 27, 2013 when search and seizure warrants

01 were served at the Great Bear Motor Inn in Tukwila, where he was residing. Defendant is  
02 alleged to have sold crack cocaine from his room in the motel.

03       2.     Defendant has a lengthy criminal history that includes multiple failures to  
04 appear, being a fugitive from another state, and probation violations. He has mental health  
05 issues and allegedly is a user of controlled substances. He is associated with multiple alias  
06 identifiers.

07       3.     Defendant does not oppose entry of an order of detention at this time.

08       4.     Defendant poses a risk of nonappearance due to a history of failing to appear,  
09 being a fugitive, mental health issues, alleged ongoing use of a controlled substance, violations  
10 of court orders and bench warrant activity, and association with alias identifiers. He poses a  
11 risk of danger due to criminal history, a history of failing to comply with supervision, and  
12 substance abuse.

13       5.     There does not appear to be any condition or combination of conditions that will  
14 reasonably assure the defendant's appearance at future Court hearings while addressing the  
15 danger to other persons or the community.

16 It is therefore ORDERED:

- 17       1. Defendant shall be detained pending trial and committed to the custody of the Attorney  
18              General for confinement in a correction facility separate, to the extent practicable, from  
19              persons awaiting or serving sentences or being held in custody pending appeal;
- 20       2. Defendant shall be afforded reasonable opportunity for private consultation with  
21              counsel;
- 22       3. On order of the United States or on request of an attorney for the Government, the

person in charge of the corrections facility in which defendant is confined shall deliver the defendant to a United States Marshal for the purpose of an appearance in connection with a court proceeding; and

4. The Clerk shall direct copies of this Order to counsel for the United States, to counsel for the defendant, to the United States Marshal, and to the United State Pretrial Services Officer.

DATED this 29th day of August, 2013.

*Maeve Gleeson*

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Mary Alice Theiler  
Chief United States Magistrate Judge